

## **REMARKS**

Claims 1-6 are pending in the present application and stand rejected. In response, Claims 1 and 3 are amended, no claims are cancelled and no claims are added. Applicant respectfully requests reconsideration of pending Claims 1-6 in view of at least the following remarks.

### **I. Claims Rejected Under 35 U.S.C. §112**

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement, specifically with regard to the feature “receiving digital broadcasting signals including encoded multimedia data and encoded DGPS data.” In addition, Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite, specifically with regard to the term “encoded multimedia data.”

In response, Claim 1 is amended to conform with the description of the digital broadcasting signal at page 6, lines 17-21 of Applicant’s specification. Reconsideration is respectfully requested in view of the amendment to Claim 1.

### **I. Claims Rejected Under 35 U.S.C. §103**

Claims 1-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 5,477,228 to Tiwari (“Tiwari”) in view of U.S. Patent 5,689,431 to Rudow (“Rudow”). Applicant respectfully traverses this rejection.

Claim 1 recites:

1. A digital broadcasting receiver having a Differential Global Positioning System (DGPS) Radio Technical Commission for Maritime Service (RTCM) data output port, the receiver comprising:
  - a radio frequency processing means for receiving digital broadcasting signals, including multiplexed multimedia data and DGPS data, and converting the received digital broadcasting signals into baseband data;
  - a decoding means for decoding the baseband data to generate decoded data including decoded multimedia data and decoded DGPS data;
  - a DGPS information extractor means for extracting a DGPS information from the DGPS data which is one of the decoded data; and

a RTCM104 formatting means for converting the DGPS information into RTCM104 data which is compatible with the DGPS RTCM data input port and outputting the RTCM104 data through the DGPS RTCM data output port. (Emphasis added.)

While Applicant's argument here is directed to the cited combination of references, it is necessary to first consider their individual teachings, in order to ascertain what combination (if any) could be made from them.

Regarding the rejection of independent Claim 1 under 35 U.S.C. §103(a), Tiwari discloses a differential GPS using a radio data system. In contrast with Claim 1, Tiwari describes a method for receiving information from a plurality of GPS satellites and for rebroadcasting a selected portion of this information for receipt by selected recipients (see col. 1, lines 6-9). Also in contrast with Claim 1, Tiwari fails to disclose digital broadcast signals including encoded multimedia data and encoded DGPS data, much less decoding means to generate decoded data including decoded multimedia data and decoded DGPS data. According to the Examiner, these features of Claim 1 are disclosed at col. 6, lines 36-40 of Tiwari.

However, the passage referred to by the Examiner describes an FM broadcast receiver 60, as shown in Fig. 1 of Tiwari. In contrast with Claim 1, receiver 60 does not receive broadcast signals including encoded multimedia data and encoded DGPS data, as in Claim 1. As disclosed by Tiwari, receiver 60 receives rebroadcast selected GPS signals from FM radio station 50. As disclosed by Tiwari, preprocessor 30 reformats RTCM DGPS data to comply with an RDS system message format and prioritizes the messages to receive the best possible accuracy at the available data rate. Hence, receiver 60 merely receives reformatted RTCM DGPS data according to a radio data system (RDS) message format (see col. 6, lines 1-7).

Consequently, neither col. 6, lines 37-40 nor any other portion of Tiwari discloses or suggests a radio frequency processing means for receiving digital broadcasting signals including encoded multimedia data and encoded DGPS data, and converting the received signals into base ten data, much less decoding means for decoding the base ten data to generate decoded data including decoded multimedia data and decoded DGPS data, as in Claim 1. In other words,

reformatted RTCM DGPS data according to an RDS system message format does not disclose or suggest the multimedia data and DGPS data received by the radio frequency processing means of Claim 1.

The Examiner acknowledges that Tiwari does not teach the digital broadcasting signal of Claim 1. As a result, the Examiner cites Rudow, which according to the Examiner discloses a digital broadcasting receiver receiving digital broadcasting (DGPS) signals at col. 6, lines 53-67. (See page 3, final sentence of the Office Action mailed September 15, 2008.) However, Claim 1 is amended to recite a radio frequency processing means for receiving digital broadcasting signals, including multiplexed multimedia data and DGPS data, and converting the received digital broadcasting signals into baseband data. Regarding col. 6, lines 53-67 of Rudow, cited by the Examiner, as shown in FIG. 1A of Rudow, a DGPS receiver 11 and LET design transceiver 12 are coupled to base station computer 10. We submit that the DGPS receiver 11 and transceiver 12 disclosed by Rudow fail to teach or suggest a radio frequency processing means for receiving digital broadcasting signals, including multiplexed multimedia data and DGPS data, as in Claim 1. Support for the amendment to Claim 1, to recite that the digital broadcasting signals include multiplexed multimedia data and DGPS data is provided at least with reference to page 6, lines 17-21 of Applicant's specification.

Neither col. 6, lines 53-67 nor any other portion of Rudow teaches or suggests the radio frequency processing means of Claim 1, which receives digital broadcasting signals, including multiplexed multimedia data and DGPS data, much less converting the received digital broadcasting signals into baseband data, as in Claim 1. Hence, no combination of Tiwari in view of Rudow can teach or suggest the radio frequency processing means of Claim 1, which receives digital broadcasting signals, including multiplexed multimedia data and DGPS data, as in Claim 1.

For each of the above reasons, therefore, Claim 1 and all claims which depend from Claim 1 are patentable over the cited art. Each of Applicant's other independent claims, including Claim 3, recite features similar to those highlighted above with regard to Claim 1. Therefore, each of Applicant's other independent claims, including Claim 3, and all claims

which depend from them, are patentable over the cited art for similar reasons. Consequently, Applicants respectfully request that the Examiner reconsider and withdraw the §103(a) rejection of Claims 1-6.

#### DEPENDENT CLAIMS

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicant's silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

### CONCLUSION

In view of the foregoing, it is submitted that all pending claims, as amended, patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: November 19, 2008

By: \_\_\_\_\_

  
Joseph Lutz, Reg. No. 43,765

1279 Oakmead Parkway  
Sunnyvale, California 94085-4040  
Telephone (310) 207-3800  
Facsimile (408) 720-8383

#### CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.

  
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Alexandra Y. Caluen November 19, 2008